



# SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

## VOTES AND PROCEEDINGS

Wednesday, 13<sup>th</sup> April, 2022

1. The Senate met at 10:53 a.m. The President of the Senate read prayers.
2. **Votes and Proceedings:**  
The Senate examined the Votes and Proceedings of Tuesday, 12<sup>th</sup> April, 2022.  
*Question was put and the Votes and Proceedings were approved.*
3. **Announcements:**
  - (a) **Interactive Meeting:**  
The President of the Senate read a letter from Senator Enyinnaya H. Abaribe (*Abia South*) as follows:



SENATOR ENYINNAYA HARCOURT ABARIBE  
MINORITY LEADER

13<sup>th</sup> April, 2022

*The Senate President  
National Assembly  
Abuja*

### **NOTICE OF INTERACTIVE MEETING**

*My dearest colleagues,*

*The Executive Governor of Bauchi State and Senator of the Federal Republic of Nigeria, H.E. Senator Bala Mohammed CON, will love to meet with the PDP Senate caucus members as follows:*

**Date:** Wednesday, 13<sup>th</sup> April, 2022

**Time:** 9pm Prompt

**Venue:** No. 7 Gana Street, Maitama, Abuja (House 5A)

*All members should note that the time stated is to accommodate our Muslim brethren who normally break their fast between 7pm to 8pm. All inconveniences are highly regretted.*

*(Signed)*

*Senator Enyinnaya Abaribe  
Minority Leader*

**(b) Announcement:**

The President of the Senate read a letter from Senator Barau I. Jibrin (*Kano North*) as follows:



**THE SENATE**  
FEDERAL REPUBLIC OF NIGERIA  
**COMMITTEE ON APPROPRIATIONS**  
NATIONAL ASSEMBLY COMPLEX  
THREE ARMS ZONE  
P.M.B. 141 GARKI, ABUJA-NIGERIA

*13<sup>th</sup> April, 2022*

*The Senate President  
National Assembly  
Abuja*

**ANNOUNCEMENT**

*The Senate Committee on Appropriations will meet today, Wednesday 13th April, 2022 by 2.00pm at Senate Meeting Room 224, Senate Building.*

*Thank you.*

*(Signed)*

*Senator Barau I. Jibrin*

**4. Petitions:**

- (a) Rising on Order 40, Senator Solomon O. Adeola (*Lagos West*) drew the attention of the Senate to a petition received from his constituent, Mr. Faseesin Joshua Adetona against Sterling Bank PLC over an alleged unlawful blacklisting of his Bank Verification Number (BVN). He urged the Senate to look into the matter.

*Petition laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Order 40(3)] to report within four (4) weeks.*

- (b) Rising on Order 40, Senator Kola A. Balogun (*Oyo South*) drew the attention of the Senate to a petition received from Dr. Babatunde Agbi against the National Open University of Nigeria (NOUN) over an alleged refusal to pay the sum of ₦940,000 for services rendered. He urged the Senate to look into the matter.

*Petition laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Order 40(3)] to report within four (4) weeks.*

**5. Personal Explanation:**

Rising on Order 42, Senator Hezekiah A. Dimka (*Plateau Central*) drew the attention of the Senate to the horrendous attacks by bandits on several communities in his Senatorial District where over 170 persons were killed, more than 100 houses razed and thousands of people were displaced. He condemned the attacks in the State and urged the Security Agencies to secure communities from threats of future attacks. He further urged the Senate to observe a minute silence in honour of the deceased and the Ministry of Humanitarian Affairs, Disaster Management and Social Development; and National Emergency Management Agency (NEMA) to provide them with essential needs.

*One minute silence accordingly observed in honour of the deceased.*

**6. Personal Explanation:**

Rising on Order 42, Senator Emmanuel Y. Orker-Jev (*Benue North West*) drew the attention of the Senate to the invasion and attack by bandits on Tiortyu and Mbadwen in Tarka and Guma Local Government Areas, respectively on Monday, 11<sup>th</sup> April, 2022 which left 25 persons dead and several others unaccounted for. He recalled that there were similar attacks in some communities in Gwer-West Local Government Area about two weeks ago. He observed that the worsening security situation can lead to untold hardship and displacement of people. He urged the Inspector General of Police (IGP) to step up security in the areas, the National Emergency Management Agency (NEMA) to intervene by providing food items and materials to the victims and the Senate to observe a minute silence in honour of the deceased.

*One minute silence accordingly observed in honour of the deceased.*

**7. Personal Explanation:**

Rising on Order 42, Senator George T. Sekibo (*Rivers East*) drew the attention of the Senate to the incessant incidents of attacks, killings and displacements in many parts of the country. He stated that recently many Nigerians have fallen victim to violent attacks and urged the Senate to engage the Executive Arm with a view to bring an end to the recurring violence and loss of lives.

**8. Presentation of Bills:**

(i) Federal University of Sports Afuze, Edo State (Establishment) Bill, 2022 (HB. 628) — *Read the First Time.*

(ii) National Hajj Commission Act, (Amendment) Bill, 2022 (SB. 982) — *Read the First Time.*

(iii) Coastal and Inland Shipping (Cabotage) Act, (Amendment) Bill, 2022 (SB. 983) — *Read the First Time.*

(iv) Mandatory inclusion of National Ethics and Civic Education in the Curriculum of Primary and Secondary Schools in Nigeria Bill, 2022 (SB. 995) — *Read the First Time.*

(v) National Minimum Wage Act, (Amendment) Bill, 2022 (SB. 997) — *Read the First Time.*

**9. Valedictory/Commendation Session:**

*Motion made:* That the Senate do commence the Valedictory Session in respect of our outgoing Colleagues:-

(i) Senator Abdullahi Adamu (*Nasarawa West*);

(ii) Senator Abubakar S. Kyari (*Borno North*); and

(iii) Senator Hassan Mohammed (*Zamfara Central*)

*(Senate Leader)*

*Question put and agreed to.*

**Privileges of the Floor:**

*Motion made:* That the Senate do suspend order 12 to admit the entourage of the three outgoing Senators to witness the valedictory session in their honour (*Senate Leader*).

*Question put and agreed to.*

*The entourage accordingly admitted.*

The following Senators made remarks:

- (i) Senator Yahaya A. Abdullahi (*Kebbi North*)
- (ii) Senator Enyinnaya H. Abaribe (*Abia South*)
- (iii) Senator Mohammad A. Adamu (*Kebbi Central*)
- (iv) Senator Orji U. Kalu (*Abia North*)
- (v) Senator Mohammed D. Goje (*Gombe Central*)
- (vi) Senator James E. Manager (*Delta South*)
- (vii) Senator Mohammed A. Ndume (*Borno South*)
- (viii) Senator Mohammed S. Musa (*Niger East*)
- (ix) Senator Albert B. Akpan (*Akwa-Ibom North East*)
- (x) Senator Smart Adeyemi (*Kogi West*)
- (xi) Senator Chukwuka G. Utazi (*Enugu North*)
- (xii) Senator Tolulope A. Odebiyi (*Ogun West*)
- (xiii) Senator Kashim Shettima (*Borno Central*)
- (xiv) Senator George T. Sekibo (*Rivers East*)
- (xv) Senator Michael O. Bamidele (*Ekiti Central*)

The Outgoing Senators thereafter responded to the remarks:

- (i) Senator Adamu Abdullahi (*Nasarawa West*)
- (ii) Senator Abubakar S. Kyari (*Borno North*)
- (iii) Senator Mohammed Hassan (*Zamfara Central*)

**Extension of Time:**

*Motion made:* That the Senate do sit this day beyond the time appointed for the termination of the Sitting of the Senate (Order 8(2) (*Senate Leader*)).

The President of the Senate concluded the valedictory session with a remark.

**10. Motion:**

***Re-Committal of Bills to the Committee of the Whole:***

*Motion made:* That the Senate recalls that the following Bills were passed by the Senate and the House of Representatives and were transmitted to the Clerk to the National Assembly for onward transmission to the President, Commander-in-Chief of the Armed Forces of the Federation for Assent:

1. Defence Research and Development Bureau Bill;
2. FCT Area Courts Bill; and
3. Federal College of Education Birniwa, Jigawa State (Establishment) Bill;

*observes* that some fundamental issues which require fresh legislative action by both Chambers of the National Assembly emerged after a critical analysis of the Bills by Mr. President, Commander-in-Chief of the Armed Forces of the Federation;

*aware* that a Technical Committee of the Senate and House of Representatives and Directorate of Legal Services met and worked on the Bills;

*relying* on order 1(b) and order 52(6) of Senate Standing Order, 2022 (As Amended).

*The Senate accordingly resolves to:*

Rescind its decision on the Bills as passed and re-commit same to the Committee of the Whole for re-consideration and passage (*Senate Leader*).

*Debate:*

**Proposed Resolution:**

*Question:* That the Senate do rescind its decision on the Bills as passed and re-commit same to the Committee of the Whole for re-consideration and passage — *Agreed to.*

**Resolved:**

That the Senate do rescind its decision on the Bills as passed and re-commit same to the Committee of the Whole for re-consideration and passage (*S/Res/089/03/22*).

- (a) *Motion made:* Pursuant to Resolution No. (*S/Res/089/03/22*) that the Senate do resolve into the Committee of the Whole to consider the Defence Research and Development Bureau Bill (*Senate Leader*).

*Question put and agreed to.*

**(SENATE IN THE COMMITTEE OF THE WHOLE)**

CONSIDERATION OF THE REPORT ON A BILL FOR AN ACT TO ESTABLISH THE DEFENCE RESEARCH AND DEVELOPMENT BUREAU (DRDB) TO CONDUCT AND COORDINATE ROBUST RESEARCH AND DEVELOPMENT IN THE ARMED FORCES OF NIGERIA; AND FOR RELATED MATTERS, 2022

**PART I — ESTABLISHMENT OF DEFENCE RESEARCH AND DEVELOPMENT BUREAU****Clause 1: Establishment of Defence Research and Development Bureau.**

- (1) There is established the Defence Research and Development Bureau (in this Bill referred to as "the Bureau").
- (2) The Bureau —
- (a) is a body corporate with perpetual succession and a common seal;
- (b) may sue or be sued in its corporate name; and
- (c) may acquire, hold or dispose of moveable or immoveable property.

**Committee's Recommendation:**

That the provision in Clause 1 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 1 do stand part of the Bill, put and agreed to.*

**Clause 2: Objectives of the Bureau.**

- (1) The Objectives of the Bureau are to —
- (a) conduct and coordinate robust research and development in the Armed Forces of Nigeria (AFN);
- (b) coordinate the research and development efforts of the three Services of the Nigerian Armed Forces;
- (c) crystallize the results of scientific and technical research on defence items and equipment for public and private institutions;
- (d) provide scientific-technical information to the Armed Forces of Nigeria and allies;

- (e) initiate new scientific, technological and environmental research on defence matters;
- (f) disseminate results of scientific research which are likely to advance defence, industrial, medical and agricultural development;
- (g) organise and coordinate research in natural and Technological sciences relating to defence matters;
- (h) collaborate with Universities in scientific and technological research;
- (i) collaborate with other national and international institutions in the promotion and transfer of science and technology relating to defence;
- (j) promote science culture in the Armed Forces;
- (k) establish study groups to examine defence research needs in existing industries such as food, diagnosis and therapy of military related diseases, plastic and pharmaceutical and propose long term research programs for them; and
- (l) undertake all such activities or things as are necessary or expedient for carrying out the objectives of the Bureau and promotion of research and development into military science and technology, as well as social sciences and environmental related challenges affecting the AFN.

*Functions of the Bureau.*

(2) The Bureau shall —

- (a) enter into such agreements, liaisons memoranda of understanding, cooperation, partnership, etc. with such institutions, agencies, corporations etc. as may be necessary from time to time or desirable, subject to the approval of the Governing Council;
- (b) be responsible for the discipline and welfare of its personnel;
- (c) deal with matters relating to the discipline of military personnel in the Bureau according to the Armed Forces Act;
- (d) conduct and sponsor studies and researches in military industrial production and related fields of studies;
- (e) engage top quality staff of international standard aimed at creating a centre of excellence in mandated fields of study;
- (f) accept gifts, legacies and donations, provided that the terms and conditions attached to such gifts, legacies or donations are not inconsistent with the objectives and purpose of the Bureau;
- (g) erect, provide, equip and maintain laboratories, workshops, libraries, lecture halls and other buildings as are necessary for the attainment of the objectives of the Bureau;

- (h) hold public lectures, symposia and seminars;
  - (i) undertake printing and selling of books and journals;
  - (j) subject to any limitation or condition imposed by statute, invest any money belonging to the Bureau by way of endowment, whether for general or special purposes or such other money as may not be immediately required for current expenditure in any investment or security in the purchase or improvement of land, with power to vary any such investment and deposit any money for the time being not invested with any approved bank on deposit or current account;
  - (k) borrow, whether on interest or not and if need be upon the security of any of the property, moveable or immovable, of the Bureau, such money as the Council may require or it is expedient to borrow or guarantee any loan, advance of credit facilities;
  - (l) do such other things as may be required for the effective and smooth running of the Bureau; and
  - (m) do all such acts or things that are incidental to the powers listed in this section as are considered necessary to promote the objectives of the Bureau.
- (3) Where any of the provisions of this Bill relating to matters affecting the objectives and functions of the Bureau is inconsistent with the Armed Forces Act, the provisions of the Armed Forces Act shall prevail.

***Committee's Recommendation:***

That the provision in Clause 2 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 2 do stand part of the Bill, put and agreed to.*

PART II — ESTABLISHMENT AND COMPOSITION OF  
THE GOVERNING COUNCIL

**Clause 3: Establishment of Governing Council.**

There is established for the Bureau a Governing Council (in this Bill referred to as "the Council") charged with the responsibility for—

- (a) initiating and approving the policy of the Bureau; and
- (b) giving the directions on general or specific matters.

***Committee's Recommendation:***

That the provision in Clause 3 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 3 do stand part of the Bill, put and agreed to.*

**Clause 4: Composition of the Governing Council.**

- (1) The Council shall consist of the —
  - (a) Minister of Defence as Chairman;
  - (b) Minister of Science and Technology;

- (c) Minister of Communication and Digital Economy;
- (d) Chief of the Defence Staff;
- (e) Chief of Army Staff;
- (f) Chief of the Naval Staff;
- (g) Chief of Air Staff;
- (h) Director-General of the Bureau;
- (i) Deputy Director Coordination of the Bureau as Secretary;
- (j) three distinguished scientists, two of whom shall have relevant knowledge or competence in defence related research and development drawn from the National Academy of Science and Council of Registered Engineers, whilst the third person shall have distinguished himself in the private sector of Nigerian Economy whose appointment shall be made by the Minister of Defence on the recommendation of Manufacturers Association of Nigeria.

*Schedule.*

- (2) The supplementary provisions set out in the schedule to this Bill shall have effect with respect to the proceedings of the Council and other matters as set out in the Schedule.

***Committee's Recommendation:***

That the provision in Clause 4 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 4 do stand part of the Bill, put and agreed to.*

**Clause 5: Emoluments, etc. of members.**

The allowances payable to non-ex-officio members of the Council shall be in accordance with such rates as may be determined by the Revenue Mobilization, Allocation and Fiscal Commission.

***Committee's Recommendation:***

That the provision in Clause 5 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 5 do stand part of the Bill, put and agreed to.*

**Clause 6: Functions of the Council.**

The Council shall —

- (a) grant approval for the Bureau to enter into research and development, and production partnerships with any company, non-governmental organization, firm or individual;
- (b) appoint technical consultants to advise it from time to time as the need and situation may arise;
- (c) do such other things as are necessary for the successful performance of its functions;



- (d) may, with the approval of the Council, establish other centres which shall be located in such places in Nigeria as may be selected by the Bureau;
- (e) make regulations generally for the purpose of giving effect to the provisions of this Bill, facilitating the performance of the Bureau's functions or pursuing the Bureau's objectives;
- (f) delegate any of its powers or functions to any person or persons, authority or committee except for its powers to approve statutes of the Bureau;
- (g) approve the nomination of the Director-General of the Bureau subject to there commendation of the Chief of the Defence Staff;
- (h) approve the creation of any office, directorate or committee as may be considered necessary or expedient for the smooth running of the Bureau;
- (i) exercise control and supervise the policies, finances and property of the Bureau; and
- (j) do such other things as are necessary for the effective performance of the functions of the Bureau.

***Committee's Recommendation:***

That the provision in Clause 6 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 6 do stand part of the Bill, put and agreed to.*

**Clause 7: Functions of the Secretary to the Council.**

- (1) The Secretary of the Council shall be in charge of the Secretariat of the Council.
- (2) The Secretary of the Council shall, in addition to such other functions and duties as the Council may assign to him —
  - (a) prepare the minutes of meetings of the Council and its Committees;
  - (b) keep and secure the records of the Council;
  - (c) issue notices of meetings of the Council and other correspondence as may be directed by the Minister of Defence; and
  - (d) ensure proper dissemination of the decisions of the Council to the appropriate persons, institutions or authorities.

***Committee's Recommendation:***

That the provision in Clause 7 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 7 do stand part of the Bill, put and agreed to.*

**Clause 8: Meetings of the Council.**

The Council shall meet as and when necessary for the performance of its functions under this Bill, and shall meet at least four times a year in accordance with the provisions of the Schedule to this Bill.

**Committee's Recommendation:**

That the provision in Clause 8 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 8 do stand part of the Bill, put and agreed to.*

**Clause 9: Cessation of office.**

- (1) The office of a member of the Council becomes vacant if —
  - (a) he ceases to hold the office on the basis of which he became a member of the Bureau or Council; or
  - (b) the Chairman is satisfied that it is not in the interest of the Council or public for the person to continue in office as a member of the Council of the Bureau.
- (2) The Director-General and The Three Distinguished Scientists—
  - (a) shall serve for a term of 3 years in the first instance; and
  - (b) may be eligible for an extension of One year and no more.

**Committee's Recommendation:**

That the provision in Clause 9 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 9 do stand part of the Bill, put and agreed to.*

**PART III — STRUCTURE OF THE BUREAU****Clause 10: Headquarters, Offices, Directorates and Centres of the Bureau.**

- (1) The Headquarters of the Bureau shall be in the Federal Capital Territory, Abuja.
- (2) There shall be at the Headquarters of the Bureau —
  - (a) Office of the Director-General and Chief Executive Officer of the Bureau;
  - (b) Directorate of Research;
  - (c) Directorate of Development and Production;
  - (d) Directorate of Test and Evaluation;
  - (e) Directorate of Liaison;
  - (f) Directorate of Administration and Logistics;
  - (g) Directorate of Finance and Accounts;
  - (h) Directorate of Legal Services; and
  - (i) Any other directorates as may be approved by the Council.

- (3) The Bureau shall have Research Centres for conducting research into various scientific fields of military technology as directed by the DG. The Research Centres shall include —
- (a) Instrument Research and Development Centre.
  - (b) LASORC - Laser and Optics Research Centre.
  - (c) ELOREC - Electrical and Electronics Research Centre.
  - (d) CHEMARC - Metallurgical/Chemical Research Centre.
  - (e) Any other research centre as may be approved by the Council.

***Committee's Recommendation:***

That the provision in Clause 10 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 10 do stand part of the Bill, put and agreed to.*

**Clause 11: Maintenance of register of defence related industries.**

- (1) The Bureau shall maintain a register of defence related industries in Nigeria and abroad.
- (2) There shall be entered in the register particulars of such products, services and expertise as the Bureau considers appropriate with the aim of establishing liaison and partnership on matters related to defence, research and production.

***Committee's Recommendation:***

That the provision in Clause 11 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 11 do stand part of the Bill, put and agreed to.*

**Clause 12: Implementation of policy.**

No policy initiated in any way other than as provided for in section 6 of this Bill shall be implemented without prior reference to and approval of the Council.

***Committee's Recommendation:***

That the provision in Clause 12 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 12 do stand part of the Bill, put and agreed to.*

**PART IV — PRINCIPAL OFFICERS AND OTHER STAFF OF THE BUREAU**

**Clause 13: Appointment and functions of the Director- General.**

- (1) There shall be appointed for the Bureau a Director-General, not below the rank of Air Vice Marshal, whose appointment and removal from office shall be in accordance with the recommendation of the Chief of the Defence Staff (CDS) to the Council for approval.
- (2) The Director-General shall —
  - (a) be knowledgeable in the defence related industries;
  - (b) have demonstrated experience in engineering, or science and technology; and

- (c) responsible to the Council for —
- (i) giving to the Council such information as to the activities of the Bureau as the Chairman of the Council may require;
  - (ii) authorising programmes and plans for giving effect to policy approved by the Council or to any direction of the Council subject to all or any of the powers in this section as may be delegated to him by the Council;
  - (iii) preparation of programmes of work and estimates of the Bureau's income and expenditure annually;
  - (iv) administration of the Bureau;
  - (v) supervision of the activities of the Directors in the Bureau; and
  - (vi) co-ordinating the activities of the Centres.
- (3) The powers delegated to the Director-General pursuant to subsection (1) shall not preclude the Council from exercising them in some special cases.
- (4) The powers referred to in subsection (3) include —
- (a) the executive control over the military and civilian staff of the Bureau;
  - (b) the supervision of accounts and records;
  - (c) the preparation for approval of programmes and plans as are necessary to carry into effect approved policy or any directive of the Council;
  - (d) the interpretation of such policy to other staff of the Bureau;
  - (e) the making of staff recommendations to the Council; and
  - (f) the establishment of organisational structures, committees and schedule of duties:

Provided that nothing in this Bill shall be deemed to detract from the military powers of command of the Director-General.

***Committee's Recommendation:***

That the provision in Clause 13 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 13 do stand part of the Bill, put and agreed to.*

**Clause 14: Appointment of other principal officers of the Bureau.**

There shall be appointed for the Bureau, other members of staff, in accordance with the provisions of section 16 of this Bill.

**Committee's Recommendation:**

That the provision in Clause 14 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 14 do stand part of the Bill, put and agreed to.*

**Clause 15: Power to create offices and directorates.**

Notwithstanding the provisions of section 14 of this Bill, the Council shall have power to create any office or directorate, necessary for the efficient running of the Bureau.

**Committee's Recommendation:**

That the provision in Clause 15 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 15 do stand part of the Bill, put and agreed to.*

**Clause 16: Posting and appointment of staff to the Bureau.**

- (1) The Nigerian Army, Nigerian Navy and Nigerian Air Force shall post military officers, soldiers, rating and airmen/ from time to time, to fill administrative, command, liaison and other military vacancies in the Bureau.
- (2) Each Directorate shall be headed by a Director with an establishment rank of Major General or its equivalent in other Services and shall serve for a term of 2 years only.
- (3) Each Centre shall be headed by a Director with relevant academic qualification and scientific research experience, who shall be appointed by the Council on the recommendation of the DG —
  - (a) The Directors shall report to the DG.
  - (b) Each Director shall serve for a term of 3 years in the first instance and maybe eligible for an extension of one year and no more on recommendation of the DG.
- (4) The Director General may appoint such persons as employable highly skilled officers of the Armed Forces or civilian members of staff of the Bureau for research, consulting and administration as it considers necessary and may approve terms and conditions of service.
- (5) Newly appointed members of staff of the Bureau shall, take such oaths as to secrecy and other matters as the Minister may, from time to time, direct.

**Committee's Recommendation:**

That the provision in Clause 16 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 16 do stand part of the Bill, put and agreed to.*

**Clause 17: Service in the bureau to be pensionable.**

- (1) For the military personnel serving in the Bureau, the existing law on pay, allowance and pension for military personnel shall apply.
- (2) Service in the Bureau shall be approved service for purposes of the Pension Reform Act and accordingly employees of the Bureau shall, in respect of their services, be entitled to pension and other retirement benefits as are enjoyed by persons holding equivalent offices in the public service of the Federation.

**Committee's Recommendation:**

That the provision in Clause 17 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 17 do stand part of the Bill, put and agreed to.*

**Clause 18: Prohibition of trade union activities.**

- (1) No civilian personnel employed in any capacity, whether or not a member of a trade union, shall engage or take part in any union activity.
- (2) Any civilian personnel who contravenes the provisions of subsection (1), commits an offence and is liable on conviction to a fine of not less than ₦100,000 or imprisonment for a term of not less than six months or both.

**Committee's Recommendation:**

That the provision in Clause 18 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 18 do stand part of the Bill, put and agreed to.*

## PART V — FINANCIAL PROVISIONS

**Clause 19: Establishment of the Defence Research and Development Bureau Fund.**  
There is established for the Bureau a Fund (in this Bill referred to as "the Fund") in which 0.1% of annual profits before tax of companies and enterprises, including multi-national companies, corporations and other organisations shall be paid into and all other funds accruing to the Bureau by way of gifts, endowments, bequest or other voluntary contributions from the state Governments in Nigeria and other donors outside Nigeria.

**Committee's Recommendation:**

That the provision in Clause 19 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 19 do stand part of the Bill, put and agreed to.*

**Clause 20: Fund of the Bureau**

- (1) The Bureau shall from the Fund defray all expenditures incurred by it for the purpose of this Bill.
- (2) There shall be paid and credited to the Fund —
  - (a) allocations from the annual budgetary provision of the Federal Government and money as may be appropriated for the Fund by the National Assembly;
  - (b) trust fund from special levy or tax on all equipment, supplies and materials imported by all military and Para-military organisations in the country;
  - (c) foreign aid and assistance from bilateral and multilateral agencies;
  - (d) fees charged for services rendered by the Bureau;
  - (e) 15 percent of the Defence Sector's annual capital expenditure budget; and

- (f) all other sums accruing to the Fund by way of gifts, endowments, bequests or other voluntary contributions by persons and organizations that the terms and conditions attached to such gifts, endowments, bequest or contributions shall not jeopardize the functions and objectives of the Bureau.

**Committee's Recommendation:**

That the provision in Clause 20 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 20 do stand part of the Bill, put and agreed to.*

**Clause 21: Expenditure of the Bureau.**

The Bureau shall apply the funds at its disposal to —

- (a) research, development and production activities necessary for the achievement of the objectives of the Bureau;
- (b) undertake any other activity in connection with any of the functions of the Bureau;
- (c) publicise and promote research and development results for adoption by industrial establishments;
- (d) the cost of establishing and maintaining the Headquarters of the Bureau;
- (e) the cost of establishing and operating laboratories, development centres and units;
- (f) the training of members of staff of the Bureau and provision of scholarships and awards for specialised training of personnel;
- (g) pay the staff, overhead allowances, benefits and other administrative costs of the Bureau;
- (h) sponsor scientific or other research initiatives that could enhance the operational capability of the AFN;
- (i) support scientific or other research efforts that are in line with the mandates of the Bureau;
- (j) organisedefence research and development competitions, seminars and conferences; and
- (k) any other matter related to the functions of the Bureau.

**Committee's Recommendation:**

That the provision in Clause 21 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 21 do stand part of the Bill, put and agreed to.*

**Clause 22: Exemption from payment of tax.**

All incomes derived by the Bureau from the sources specified in sections 19 and 20 shall be exempted from income tax.

**Committee's Recommendation:**

That the provision in Clause 22 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 22 do stand part of the Bill, put and agreed to.*

**Clause 23: Submission of programme, income and expenditure estimate to the Council.**

The Bureau shall submit to the Council, not later than 30th August in each year, its programme of work and estimates of its income and expenditure for the succeeding year.

**Committee's Recommendation:**

That the provision in Clause 23 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 23 do stand part of the Bill, put and agreed to.*

**Clause 24: Audit and accounts.**

The Accounts of the Bureau shall be audited not later than 6 months after the end of the financial year to which they relate by Auditors in line with the guidelines issued by the Auditor-General for the Federation.

**Committee's Recommendation:**

That the provision in Clause 24 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 24 do stand part of the Bill, put and agreed to.*

**Clause 25: Annual report.**

- (1) The Bureau shall prepare and submit to the Council not later than 30th June in each year—
  - (a) a report on the activities of the Bureau;
  - (b) the audited accounts of the Bureau; and
  - (c) the auditors' report for each year preceding the report.
- (2) The Bureau shall, not later than 30th September in each year, submit to the Council the annual report of each of its Centres for the preceding year.

**Committee's Recommendation:**

That the provision in Clause 25 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 25 do stand part of the Bill, put and agreed to.*

**Clause 26: Power to purchase, build or lease property.**

For the purpose of providing offices and premises necessary for the performance of its functions, the Bureau may, subject to the Land Use Act —

- (a) purchase or take on lease any interest in land, building or property; and
- (b) build, equip and maintain offices and premises.

**Committee's Recommendation:**

That the provision in Clause 26 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 26 do stand part of the Bill, put and agreed to.*



**Clause 27: Power to sell or lease out property.**

The Bureau may, subject to the Land Use Act, sell or lease out any land, office or premises held by it, which is no longer required for the performance of its functions under this Bill.

**Committee's Recommendation:**

That the provision in Clause 27 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 27 do stand part of the Bill, put and agreed to.*

**Clause 28: Power to borrow.**

The Bureau may, with the consent of or in accordance with the general authority given to it by the Council, borrow by way of loan or overdraft from any source or money required by the Bureau for meeting its obligations in the performance of its functions under this Bill.

**Committee's Recommendation:**

That the provision in Clause 28 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 28 do stand part of the Bill, put and agreed to.*

**Clause 29: Power to accept gifts.**

The Bureau may accept gift of land, money or property upon such terms and conditions if any, as may be specified by the person or organisation making the gift if the conditions attached by the person making the gifts are not inconsistent with the objectives of the Bureau and the Federal Government policy.

**Committee's Recommendation:**

That the provision in Clause 29 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 29 do stand part of the Bill, put and agreed to.*

**Clause 30: Supremacy of the Armed Forces Act.**

Where any of the provisions of this Bill relating to matters affecting the objectives and functions of the Bureau is inconsistent with the Armed Forces Act, the provisions of the Armed Forces Act shall prevail.

**Committee's Recommendation:**

That the provision in Clause 30 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 30 do stand part of the Bill, put and agreed to.*

**Clause 31: Commencement of suit on action and service of notice.**

- (1) A suit shall not be commenced against the Bureau, before the expiration of a period of one month, after written notice of intention to commence the suit have been served upon the Bureau by the intending plaintiff or his agent, and the notice shall clearly state the —
  - (a) cause of action;
  - (b) particulars of the claim;
  - (c) name and place of abode of the intending plaintiff; and
  - (d) relief being claimed.

- (2) The notice referred to in subsection (1) and any summons, notice or other document required or authorised to be served upon the Bureau under this Bill or any other enactment or law, may be served by —
- (a) delivering the same to the Director-General; or
  - (b) sending it by registered post to the registered address of the Bureau.
- (3) In any action or suit against the Bureau, no execution or process shall be issued against the Bureau, but if the judgment of the court is awarded against the Bureau, it may be paid from the general reserve of the Bureau.

***Committee's Recommendation:***

That the provision in Clause 31 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 31 do stand part of the Bill, put and agreed to.*

**Clause 32: Power to make regulations.**

The Council may make regulations generally for the purpose of giving effect to the provisions of this Bill, facilitating the performance of the Bureau's functions or pursuing the Bureau's objectives.

***Committee's Recommendation:***

That the provision in Clause 32 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 32 do stand part of the Bill, put and agreed to.*

**Clause 33: Interpretation.**

In this Bill —

"Bureau" means the Defence Research and Development Bureau established under section 1 (1) of this Bill;

"Chairman" means the Chairman of the Council of the Bureau appointed under section 4 (1) (a) of this Bill;

"Council" means the Governing Council, Defence Research and Development Bureau established under section 3 of this Bill;

"Fund" means the Fund of the Bureau established under section 19 of this Bill;

"Member" means a member of the Council and includes the Chairman;

"Minister" means the Minister responsible for Defence and any other Minister mentioned under this Bill;

"principal officer" means the Director-General and any of the Director appointed under this Bill;

"Public Service" has the meaning assigned to it in the Constitution of the Federal Republic of Nigeria;

"Secretary" means the Secretary of the Council appointed under section 4 (1) (i) of this Bill; and

"Technical officer" include scientists, engineers and lawyers working in the Bureau.

**Committee's Recommendation:**

That the provision in Clause 33 be retained (*Senate Leader*) — *Agreed to*.

*Question that Clause 33 do stand part of the Bill, put and agreed to.*

**Clause 34: Citation.**

This Bill may be cited as the Defence Research and Development Bureau Bill, 2022.

**Committee's Recommendation:**

That the provision in Clause 34 be retained (*Senate Leader*) — *Agreed to*.

*Question that Clause 34 do stand part of the Bill, put and agreed to.*

SCHEDULE

*Section 4 (2)*

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

1. Subject to this Bill and section 27 of the Interpretation Act, the Council may make standing orders regulating its proceedings or any of its committees.
2. At any meeting of the Council, the Chairman shall preside or in his absence, the Minister of Defence shall preside at the meeting and in his absence, the members present at the meeting shall appoint one of them to preside at the meeting.
3. The Council shall meet not less than 4 times in each year and the Council shall meet whenever it is summoned by the Chairman.
4. The Quorum for the meetings of the Council shall not be less than 5 members of the Council.
5. The Council shall meet for the conduct of business at such places and on such days as the Chairman may appoint.
6. Any question put before the Council at a meeting shall be decided by consensus and, where this is not possible, by a majority of the votes of the members present and voting.
7. The Chairman shall, in the case of an equality of votes, have a casting vote in addition to his deliberative vote.
8. Where the Council desires to seek the advice of any person on a particular matter, the council may co-opt the person as a member for such period as it deems fit, but a person who is a member by virtue of this paragraph shall not be entitled to vote at any meeting of the Council and shall not count towards the quorum.
9. Subject to the provisions of this Bill, the Council shall have power to regulate its proceedings and may, make standing orders with respect to the —
  - (a) holding of its meetings and those of its committees;
  - (b) notice to be given;
  - (c) proceedings of the Council;

- (d) keeping of minutes of such proceedings; and
- (e) custody and production for inspection of such minutes.

*Committees*

10. The Council may set up one or more committees to carry out on its behalf such functions as it may determine.
11. A Committee set up under this Schedule shall consist of such number of persons, not necessarily all members of the Council, as may be determined by the Council, and a person other than members of the Council shall hold office on the Committee in accordance with the terms of the person's appointment.
12. A decision of a Committee of the Council is of no effect until it is confirmed by the Council.

*Miscellaneous*

13. The fixing of the seal of the Bureau shall be authenticated by the signature of the Director-General or of any other person authorised by the Council to act for a particular purpose.
14. A contract or instrument, which if made or executed by any person not being a body corporate would not be required to be under seal, may be made or executed on behalf of the Bureau by any person generally or specially authorised by the Council to act for that purpose.
15. The validity of any proceeding of the Council or its Committees is not affected by —
  - (a) any vacancy in the membership of the Council or its Committee;
  - (b) reason that a person not entitled to do so took part in the proceedings; or
  - (c) any defect in the appointment of a member.
16. A member of the Council and any person holding office on a Committee of the Council who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council or a Committee shall —
  - (a) disclose his interest to the Council or Committee, as the case may be; and
  - (b) not vote on any question relating to the contract or arrangement.

*Question that the provision in this Schedule Stand part of the Bill — Agreed to.*

Chairman to report Bill.

**(SENATE IN PLENARY)**

The President of the Senate reported that the Senate, in the Committee of the Whole, considered the Report on a Bill for an Act to Establish the Defence Research and Development Bureau (DRDB) to Conduct and Coordinate Robust Research and Development in the Armed Forces of Nigeria; and for Related Matters, 2022 and approved as follows:

Clauses 1-34	—	As Recommended
Schedule	—	As Recommended

*Question:* That the Senate do approve the Report of the Committee of the Whole — *Resolved in the Affirmative.*

*Motion made:* That the Bill be now Read the Third Time (*Senate Leader*).

*Question put and agreed to.*

*Bill accordingly Read the Third Time and Passed.*

(b) *Motion made:* Pursuant to Resolution No. (*S/Res/089/03/22*), that the Senate do resolve into Committee of the Whole to consider the Federal Capital Territory Abuja Area Courts Bill (*Senate Leader*).

*Question put and agreed to.*

**(SENATE IN THE COMMITTEE OF THE WHOLE)**

CONSIDERATION OF THE REPORT ON A BILL FOR AN ACT TO REPEAL THE FEDERAL CAPITAL TERRITORY ABUJA AREA COURTS ACT, 2010 AND ENACT THE FEDERAL CAPITAL TERRITORY ABUJA AREA COURTS ACT TO, AMONG OTHER THINGS; EXPAND THE JURISDICTION OF THE AREA COURTS TO ENTERTAIN BOTH CIVIL AND CRIMINAL CASES; AND FOR RELATED MATTERS, 2022.

**Clause 1: Establishment of Area Courts.**

- (1) There is established such grades of Area Court for the Federal Capital Territory, Abuja.
- (2) An Area Court shall exercise the jurisdiction conferred upon it by or under this Bill within the area and to the extent specified.
- (3) The Grand Kadi, shall assign to each Area Court established in pursuance of this section such name and shall issue a warrant under his hand in respect of such court as he may deem fit.
- (4) Except otherwise stated, a warrant issued under this section shall come to force on the day of publication in the Official Gazette.
- (5) The Grand Kadi, may at any time suspend, cancel or vary any warrant establishing an Area Court or specifying the area within which, or the extent to which, the powers of an Area Court may be exercised.
- (6) The Grand Kadi shall cause the jurisdiction of each Area Court to be published from time to time in the Official Gazette.

***Committee's Recommendation:***

That the provision in Clause 1 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 1 do stand part of the Bill, put and agreed to.*

**Clause 2: Constitution and membership of Area Courts.**

- (1) An Area Court shall consist of an Area Court Judge sitting alone.
- (2) Every Judge of an Area Court shall be an officer in the Public Service.

**Committee's Recommendation:**

That the provision in Clause 2 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 2 do stand part of the Bill, put and agreed to.*

**Clause 3: Qualification of Area Court Judge.**

A person shall not be qualified for an appointment as an Area Court Judge unless:—

- (a) he is a legal practitioner, learned in Islamic Law or;
- (b) he holds a degree in Sharia or related discipline:

PROVIDED that a person holding the office of an Area Court Judge before the commencement of this Bill, not being a legal practitioner, learned in Islamic Law or holder of a degree in Sharia or related discipline shall continue to hold such office and act in that capacity.

**Committee's Recommendation:**

That the provision in Clause 3 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 3 do stand part of the Bill, put and agreed to.*

**Clause 4: Discipline of members of Area Courts.**

- (1) Subject to the provisions of any written law, the Judicial Service Committee shall appoint and exercise disciplinary power on an Area Court Judge:—
  - (a) who appears to have abused his power or to be incapable of exercising the same justly; and
  - (b) for other sufficient reason.
- (2) The appointment and discipline of an Area Court Judge shall be in accordance with the rules and regulations applicable to Area Court Judges.

**Committee's Recommendation:**

That the provision in Clause 4 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 4 do stand part of the Bill, put and agreed to.*

**Clause 5: Sessions.**

- (1) Subject to the provisions of any written law, an Area Court shall hold sessions at such times and places as may be necessary for the convenient and speedy dispatch of the business of the court.
- (2) The Grand Kadi may direct that sessions shall be held at times and places he deems fit.

**Committee's Recommendation:**

That the provision in Clause 4 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 4 do stand part of the Bill, put and agreed to.*

**Clause 6: Indemnity of members of Area Courts.**

An Area Court Judge shall not be personally liable for any act done by him or ordered by him to be done in the discharge of his judicial duty, whether or not within the limits of his jurisdiction: Provided that he, at the time in good faith, believed himself to have jurisdiction to do or order to be done the act in question.

**Committee's Recommendation:**

That the provision in Clause 6 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 6 do stand part of the Bill, put and agreed to.*

## PART II — STAFF OF AREA COURTS

**Clause 7: Staff of the Court**

- (1) Staff of Area Courts shall be officers in the Public Service of the Federation.
- (2) There shall be appointed a Registrar or Clerk and such other staff as may be required by an Area Court.
- (3) The duties of the Registrar or Clerk shall include:—
  - (a) prepare warrants and writs;
  - (b) register orders and judgments;
  - (c) keep records of moneys received or paid by the court; and
  - (d) perform such duties in the execution of the powers and authorities of the court as may be assigned to him by the rules or special order of the court.

**Committee's Recommendation:**

That the provision in Clause 7 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 7 do stand part of the Bill, put and agreed to.*

**Clause 8: Delegation of duties.**

A Registrar or Clerk may, with the consent of the Area Court Judge, delegate any of the duties assigned to him to any other servant of the court, and in every such case, such servant shall be governed in respect of his duties by the orders and directions of the Registrar or Clerk.

**Committee's Recommendation:**

That the provision in Clause 8 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 8 do stand part of the Bill, put and agreed to.*

**Clause 9: Bailiff and messengers**

- (1) Such bailiffs or messengers as may be required shall be appointed to every Area Court.
- (2) A person appointed under subsection (1) of this section shall:—
  - (a) effect the service and execution of all writs and other process which he may receive from the Area Court to which he is attached;

- (b) make all necessary returns in relation to such writs and processes;
  - (c) carry out other duties as may be prescribed by rules made under this Bill; and
  - (d) at all times when he is not engaged in duties which necessitate his absence from the Area Court, attend the Area Court and obey all the lawful directions of the Court.
- (3) An Area Court may authorize a police officer to perform all or any of the duties mentioned in subsection (2) of this section in so far as they relate to the criminal jurisdiction of the court and any police officer who is in possession of any criminal process shall be presumed to be authorized to execute such process unless the contrary is proved.
- (4) Subject to the provisions of subsection (3) of this section, no person other than a duly appointed bailiff or messenger shall carry out, purport or attempt to carry out any of the duties mentioned in subsection (2) of this section.

***Committee's Recommendation:***

That the provision in Clause 9 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 9 do stand part of the Bill, put and agreed to.*

**Clause 10: Indemnity of staff of Area Courts**

No member of the staff of any Area Court or other person bound to execute lawful warrants or orders issued or made in the exercise of jurisdiction conferred by this Bill is liable to be sued in any court for the execution of any warrant or order which he would be bound to execute if the person issuing the same had been acting in the exercise of lawful authority.

***Committee's Recommendation:***

That the provision in Clause 10 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 10 do stand part of the Bill, put and agreed to.*

PART III — JURISDICTION OF AREA COURT

**Clause 11: Institution of proceedings in Area Courts**

- (1) Subject to the provisions of this Bill and of any other written law, any person may institute any cause or matter in an Area Court.
- (2) A person who institutes or prosecutes any cause or matter in an Area Court under subsection (1) of this section shall, in that cause or matter be subject to the jurisdiction of that Area Court and of any other court exercising jurisdiction in that cause or matter.

***Committee's Recommendation:***

That the provision in Clause 11 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 11 do stand part of the Bill, put and agreed to.*



**Clause 12: Persons subject to jurisdiction of Area Courts**

Subject to the provision of this Bill and of any other written law, the following persons shall be subject to the jurisdiction of Area Court:—

- (a) any person who is a Muslim;
- (b) any other person in a cause or matter in which any law, other than Islamic Law, applies.

**Committee's Recommendation:**

That the provision in Clause 12 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 12 do stand part of the Bill, put and agreed to.*

**Clause 13: Inquiry by High Court whether person is subject to jurisdiction of Area Courts.**

- (1) Where at any stage of the proceedings before final judgment in any cause or matter in an Area Court, a person alleges that he is not subject to the jurisdiction of Area Court, the proceedings shall on the application of that person to the High Court be transferred to the High court, which shall inquire into and determine the truth of the person's allegation.
- (2) Upon such determination as mentioned in subsection (1), the High Court shall make such order for the trial of the proceedings in the High Court, Magistrate Court, District Court, Area Court or Customary Court as the circumstance of the case may seem just.
- (3) The applicant shall give notice to the Area Court of the application made by him under subsection (1) of this section and the application shall operate as a stay of the proceedings in the Area Court until the High Court has made an order under subsection (2) of this section.

**Committee's Recommendation:**

That the provision in Clause 13 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 13 do stand part of the Bill, put and agreed to.*

**Clause 14: Criminal and Civil jurisdiction of Area Courts.**

An Area Court, subject to the provisions of this Bill, the Criminal Procedure Code Act and the Administration of Criminal Justice Act, shall have jurisdiction to try all criminal causes and matters in which the parties are subject to the jurisdiction of the Court and in all Civil Causes shall have jurisdiction and power, to the extent set out in the warrant establishing it.

PROVIDED that in all Criminal Causes and Matters the presiding Area Court Judge shall be a legal practitioner.

**Committee's Recommendation:**

That the provision in Clause 14 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 14 do stand part of the Bill, put and agreed to.*

**Clause 15: Place of trial of criminal cases.**

- (a) The place of trial of all criminal causes shall be determined in accordance with the provisions of the Criminal Procedure Code Act, the Administration of Criminal Justice Act or any other written law in force.

- Place of trial of civil cases.
- (b) All civil causes or matters shall be tried and determined by an Area Court which has jurisdiction over the area:—
- (i) in which the defendant is ordinarily resident;
  - (ii) in which the defendant was at the time when the cause of action arose; or
  - (iii) where the transaction occurred.

**Committee's Recommendation:**

That the provision in Clause 15 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 15 do stand part of the Bill, put and agreed to.*

**Clause 16: Law to be administered in criminal and civil cases.**

Subject to the provisions of this Bill, an Area Court:—

- (a) in all criminal causes and matters shall administer the provisions of:—
  - (i) the Penal Code Act, the Criminal Procedure Code Act, the Administration of Criminal Justice Act and any subsidiary legislation made there under.
  - (ii) any written law which the court may be authorized to enforce by any order made by the President in respect of Federal Matters and within the local limits of the jurisdiction of such courts all or any of the provisions of any written law made applicable to the Federal Capital Territory, Abuja; and
- (b) in all Civil Causes and Matters administer:—
  - (i) Islamic Law of the Maliki School of Jurisprudence;
  - (ii) Common Law;
  - (iii) Doctrine of Equity and
  - (iv) Statutes of general application which were in force in England on the 1st day of January, 1900.

**Committee's Recommendation:**

That the provision in Clause 16 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 16 do stand part of the Bill, put and agreed to.*

**Clause 17: Guardianship of children.**

- (1) In any matter relating to the guardianship of children, the interest and welfare of the child shall be the first and paramount consideration.
- (2) Whenever it appears to an Area Court that an order made by the court, should, in the interest of a child, be reviewed, the court may of its own motion or upon the application of any interested person, vary or discharge the order.

**Committee's Recommendation:**

That the provision in Clause 17 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 17 do stand part of the Bill, put and agreed to.*

## PART IV — PRACTICE AND PROCEDURE IN AREA COURT

**Clause 18: Practice and procedure generally.**

Subject to the provisions of this Bill and of any other written law and any rule which may be made under section 50 of this Bill, the provisions of section 16 of this Bill shall apply in the regulation of the practice and procedure of Area Courts in civil cases and matters.

**Committee's Recommendation:**

That the provision in Clause 18 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 18 do stand part of the Bill, put and agreed to.*

**Clause 19: Jurisdiction of Area Court not required to be shown on the record.**

- (1) All proceedings in the Area Court shall be recorded by the Judge in English Language.
- (2) An Area Court shall record the reasons for its decisions in every cause or matter.
- (3) Where an Area Court has jurisdiction in or over any cause or matter or over the parties thereto it shall not be necessary for:—
  - (a) such court to state on the face of the record of its Proceedings in such cause or matter that the court has jurisdiction in or over such cause or matter or over the parties; and
  - (b) the jurisdiction of such court in or over such cause or matter or over the parties thereto to appear on or from the face of the record of its proceedings in such cause or matter.

**Committee's Recommendation:**

That the provision in Clause 19 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 19 do stand part of the Bill, put and agreed to.*

**Clause 20: Appearance and representation of parties.**

- (1) Legal practitioners shall have right of audience before an Area Court.
- (2) An Area Court may permit:—
  - (a) the husband, wife, brother, sister, son, daughter, guardian, servant, master or any inmate of the household of any party, who shall give satisfactory proof that he or she has authority in that behalf; or
  - (b) a relative of a person administering the estate of a deceased person who was subject to the Jurisdiction of an Area Court, to appear for any party before an Area Court.
- (3) Subject to the provisions of subsections (1) and (2) of this section, in the case of a local authority or in any proceeding pending before an Area Court, a local authority may be represented in Court at any stage of the proceeding by any member or officer of the local authority who shall satisfy the court that he is duly authorized in that behalf.

**Committee's Recommendation:**

That the provision in Clause 20 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 20 do stand part of the Bill, put and agreed to.*

**Clause 21: Proceedings to be in open court**

- (1) The room or place which an Area court sits to hear and determine any proceedings shall be an open and public court to which the members of the public shall have a right of access while they shall be of good behaviour and to that extent to which the capacity of the court shall allow.
- (2) Provision may be made by rules of court under section 50 of this Bill for the exclusion of the public from any Area Court in cases:—
  - (a) in which persons under the age of 17 years are involved; or
  - (b) where the administration of justice would be rendered impracticable by the presence of the public.

***Committee's Recommendation:***

That the provision in Clause 21 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 21 do stand part of the Bill, put and agreed to.*

PART V — TRANSFER BY AREA COURTS

**Clause 22: Power of transfer by Area Court.**

Area Court may order the transfer of any cause or matter either before hearing or at any stage of the proceedings before judgment is given to any other Area Court of competent jurisdiction and that other Area Court may take any course with regard to the cause or matter which it considers that justice requires.

***Committee's Recommendation:***

That the provision in Clause 22 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 22 do stand part of the Bill, put and agreed to.*

**Clause 23: Remission of case to lower grade Area Court.**

An Area Court may, of its own motion or upon the application of either party to a cause or matter, remit to a lower grade Area Court of competent jurisdiction which is within the territorial jurisdiction of that other lower grade Area Court, any cause or matter before it which, in its opinion, can, for purposes of convenience or otherwise, be more appropriately or expeditiously dealt with by such lower grade Area Court and upon such order being made the lower grade Area Court specified therein shall hear and determine the cause or matter, de novo.

***Committee's Recommendation:***

That the provision in Clause 23 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 23 do stand part of the Bill, put and agreed to.*

PART VI — ANCILLARY POWERS OF AREA COURTS

**Clause 24: Power to summon witnesses.**

An Area Court shall have power, subject to any limitation that may be imposed by any law, to summon before it, for the purpose of giving evidence, any person.

**Committee's Recommendation:**

That the provision in Clause 24 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 24 do stand part of the Bill, put and agreed to.*

**Clause 25: Person present may be required to give evidence.**

Any person present at an Area Court, whether a party or not to any cause or matter before the court, may be required by the court to give evidence as if he had been summoned to attend and give evidence.

**Committee's Recommendation:**

That the provision in Clause 25 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 25 do stand part of the Bill, put and agreed to.*

**Clause 26: Evidence of person not within jurisdiction.**

- (1) If, in any cause or matter, an Area Court considers that the interest of justice requires that the evidence of a person not Within the area of jurisdiction of the Area Court should be obtained before any other court or any officer, the Area Court may make an application to a Sharia Court of Appeal requesting that the evidence of the person be taken before any other court or officer in the place in which that person is.
- (2) Upon an application under subsection (1) of this section, the Sharia Court of Appeal to which the application is made, may, in its discretion, make an order in respect of the taking of the evidence of the person as it deems fit.

**Committee's Recommendation:**

That the provision in Clause 26 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 26 do stand part of the Bill, put and agreed to.*

**Clause 27: Execution of judgments.**

Any judgment or order given or made by an Area Court in a civil cause or matter may be enforced by seizure and sale of the property of the person against whom the judgment or order is made, or by such other methods of enforcing judgments and orders as may be prescribed by rules made under section 50 of this Bill.

**Committee's Recommendation:**

That the provision in Clause 27 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 27 do stand part of the Bill, put and agreed to.*

**Clause 28: Execution of orders of other courts.**

An Area Court shall:—

- (a) carry into execution any decree or order of all courts or tribunal established by law which may be fully directed to them;
- (b) execute all warrants and serve all process issued by the courts or tribunal and directed to the Area Courts for execution or service; and
- (c) generally give such assistance to any court or tribunal as may be required.

**Committee's Recommendation:**

That the provision in Clause 28 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 28 do stand part of the Bill, put and agreed to.*

**Clause 29: Power to grant interim injunction or impound property.**

In any cause or matter before an Area Court in which, pending final determination it is shown to the satisfaction of the Area Court that any property which is in dispute in the cause or matter is in danger of being wasted, damaged, alienated or otherwise injuriously dealt with by any party to the cause or matter, the Area Court may issue an injunction to the party commanding him to refrain from doing the particular act complained of, or alternatively, may take and keep the property in custody pending the determination of the cause or matter.

**Committee's Recommendation:**

That the provision in Clause 29 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 29 do stand part of the Bill, put and agreed to.*

**Clause 30: Power to appoint receiver and manager.**

- (1) An Area Court may, whenever it deems it necessary to do so for the preservation, proper custody or management of any property in dispute in a cause or matter, appoint any person as a receiver or manager to receive and take charge of the property and to deal with it in any manner as may be directed by the Area Court.
- (2) Any person appointed as a receiver or manager under subsection (1) of this section shall be responsible to the Area Court for all things done as receiver or manager, and shall account for or pay to the Area Court all moneys received in respect of any property referred to in subsection (1) of this section.
- (3) An Area Court may make an order as it deems fit in regard to the remuneration of any person appointed as receiver and manager and shall pay to the party entitled thereto all moneys in the custody of the Area Court in respect of any property referred to in subsection (1) of this section.

**Committee's Recommendation:**

That the provision in Clause 30 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 30 do stand part of the Bill, put and agreed to.*

**Clause 31: Inspection.**

In any cause or matter an Area Court, may on the application of either party or on its own motion:—

- (a) make such order as the court may deem fit for the inspection by the Area Court, the parties or any witness of any immovable or movable property the inspection of which may be material to the proper determination of the question in dispute; and
- (b) give any direction as the court may deem fit respecting the inspection.

**Committee's Recommendation:**

That the provision in Clause 31 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 31 do stand part of the Bill, put and agreed to.*

**Clause 32: General supervision of Area Courts.**

- (1) Subject to the provisions of this Bill and any other written law, all Area Courts shall be subject to the general supervision of the Sharia Court of Appeal.
- (2) Without prejudice to the generality of subsection (1) of this section, if it appears to the Sharia Court of Appeal that:—
  - (a) it is necessary for the purpose of securing, as far as possible, a fair and impartial trial, or
  - (b) it is expedient in the interest of justice generally that a particular cause or matter which is within the jurisdiction of an Area Court should not be tried by that court having jurisdiction to do so, the Sharia Court of Appeal may order that such cause or matter be tried by such other Area Court which the order may direct.
- (3) The powers of the Sharia Court of Appeal under this section may be exercised by it either on its own motion or on the application of any party to a cause or matter in an Area Court or upon report by an inspector of Area Court.

***Committee's Recommendation:***

That the provision in Clause 32 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 32 do stand part of the Bill, put and agreed to.*

**Clause 33: Appointment and functions of Director of Area Courts.**

- (1) The Judicial Service Committee shall appoint a Director of Area Court.
- (2) The functions of the Director of Area Court shall include:—
  - (a) advising the Chief Registrar in respect of the Constitution, jurisdiction and membership of Area Courts;
  - (b) subject to the general or special directions of the Chief Registrar, the organization, guidance and supervision of Area Courts;
  - (c) transferring a matter from one court to another upon a complaint or inspecting the record of the case as the justice of the case may demand and
  - (d) any other function as may, from time to time, be conferred upon him by the Chief Registrar.

***Committee's Recommendation:***

That the provision in Clause 33 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 33 do stand part of the Bill, put and agreed to.*

**Clause 34: Appointment of Chief Inspector and Inspectors.**

The Judicial Service Committee shall, for the purposes of this Act, appoint Chief Inspector and Inspectors.

**Committee's Recommendation:**

That the provision in Clause 34 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 34 do stand part of the Bill, put and agreed to.*

**Clause 35: Reports of cases tried.**

The Chief Inspector or an Inspector may require an Area Court to submit a report to him of any case tried in that court.

**Committee's Recommendation:**

That the provision in Clause 35 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 35 do stand part of the Bill, put and agreed to.*

**Clause 36: Chief Inspector and Inspector's right of access to Area Courts.**

The Chief Inspector or an Inspector shall, at all times, have access to all Area Courts within the Federal Capital Territory, Abuja and to the records and proceedings of those courts.

**Committee's Recommendation:**

That the provision in Clause 36 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 36 do stand part of the Bill, put and agreed to.*

**Clause 37: Supervisory powers of Chief Inspector and Inspectors.**

- (1) The Chief Inspector or an Inspector shall have power, at any stage of the proceedings before final judgment, either of his own motion or on the application of any party to a cause or matter before an Area Court, by order, to stay the hearing of the cause or matter on terms as the Chief Inspector or Inspector may consider just.
- (2) Where an order under subsection (1) of this section has been made, the Chief Inspector or an Inspector may, in his discretion, adopt one or any of the following courses:—
  - (a) if the cause or matter appears to be within the jurisdiction of an Area Court other than that referred to in subsection (1) of this section, he may, by the same or another order, direct that the cause or matter be inquired into, tried and determined by the Area Court which has jurisdiction over the same;
  - (b) he may direct in like manner that the cause or matter be inquired into, tried and determined by a Magistrate Court, District Court or Customary Court.
  - (c) if the cause or matter is one which in his opinion ought for any reason to be transferred from an Area Court to the Sharia Court of Appeal, he may report the case to the Sharia Court of Appeal.
- (3) No cause or matter which has been transferred by the High Court or a Magistrate Court or District Court or Customary Court to an Area Court may be reported to the Sharia Court of Appeal or transferred to the same or any other Magistrate Court, District Court or Customary Court under this section.



- (4) The court to which a cause or matter is transferred under this section shall be informed in writing of the reason for making the order of transfer and may thereafter take any course with regard to the cause or matter which it considers that justice requires.
- (5) Where a cause or matter is reported to the Sharia Court of Appeal under subsection (2)(c) of this section, the Sharia Court of Appeal shall direct in what mode and in what court the cause or matter shall be heard and determined.
- (6) Where a cause or matter is transferred from an Area Court to any other court under this section, no summons fee shall be payable in the court to which the cause or matter is transferred if the appropriate summons fee has been paid in the Area Court from which the cause or matter is transferred.

***Committee's Recommendation:***

That the provision in Clause 37 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 37 do stand part of the Bill, put and agreed to.*

**Clause 38: Effect of order of transfer.**

- (1) An order of transfer shall operate as a stay of proceedings before the Area Court from which the proceedings are ordered to be transferred in any cause or matter to which the order extends or is applicable, and the process and proceedings in that cause or matter, and a certified copy of the record shall be transmitted to the court to which the same is transferred and all proceedings in the cause or matter shall be taken in the court as if the cause or matter had been commenced therein.
- (2) A report made under section 37 (2) (c) of this Bill shall operate to suspend proceedings, the subject of the report until the directions of the Sharia Court of Appeal have been given under section 37 (4) of this Bill.
- (3) The Chief Inspector or Inspector may, if it appears expedient in the first instance, transmit by post, or through any other means, the contents of any order made by him under subsection (1) of this section and the post or any other means adopted shall, until the receipt of the order, have the same validity and effect as if it were the said order.

***Committee's Recommendation:***

That the provision in Clause 38 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 38 do stand part of the Bill, put and agreed to.*

**Clause 39: Review by appeal court on report of Chief Inspector or Inspector.**

- (1) The Chief Inspector or an Inspector, if in his opinion there has been a miscarriage of justice in any case before an Area Court to which he has access under the provisions of section 37 of this Bill, may of his own motion or in his discretion on the application of any person concerned, report that case to the court to which an appeal in the case would lie.

- (2) A report under subsection (1) of this section shall be made in writing and shall record the particulars of the judgment, order or case, and the reason for its being reported and shall be accompanied by a copy of the record of the case.
- (3) The Court to which the case has been reported shall review it, and may:—
  - (a) reverse, vary or affirm the decision given;
  - (b) make an order in the proceedings as the lower court could have made;
  - (c) make a further order, as may be necessary or as the justice of the case may require but no order in a civil proceeding to the prejudice of any party shall be made without an opportunity being given to the party of being heard;
  - (d) set aside the judgment or other order of the lower court; and
  - (e) when it considers it desirable, order the case to be retried either by the same court or any other Area Court of competent jurisdiction or by any Magistrate Court, District Court or Customary Court, or if the case is one that appears proper to be heard by the High Court, report the case to the High Court.
- (4) In the exercise of its powers of review under this section, a court may hear any additional evidence as it considers necessary for the just disposal of the case.
- (5) The Chief Inspector or an Inspector who has reported any case to a court under the provisions of this section may have power to direct the lower court to stay all actions in the interim, pending the determination of the matter by the court to which the matter is reported.
- (6) A person aggrieved by a decision of the Sharia Court of Appeal in a review under this section may appeal from the decision to the Court of Appeal as if it were a decision in an appeal brought to the Sharia Court of Appeal from some other court.

***Committee's Recommendation:***

That the provision in Clause 39 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 39 do stand part of the Bill, put and agreed to.*

**Clause 40: Special plea in bar not admissible on hearing.**

Where proceedings are quashed and an order for retrial is made under the provisions of this Part, no plea of res judicata or autrefois convict shall be entertained in respect of the proceedings in any subsequent proceedings.

***Committee's Recommendation:***

That the provision in Clause 40 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 40 do stand part of the Bill, put and agreed to.*

**Clause 41: Power of Chief Inspector or inspector not exercisable where appeal instituted.**

No Chief Inspector or an Inspector shall exercise the powers conferred upon him under this Part in any case where a party aggrieved by the decision of the Area Court has appealed from that decision or otherwise instituted any appeal proceedings in respect of the decision

**Committee's Recommendation:**

That the provision in Clause 41 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 41 do stand part of the Bill, put and agreed to.*

PART VII — APPEAL

**Clause 42: Appeals from Area Courts.**

- (1) A party aggrieved by a decision of an Area Court may appeal to:—
  - (a) the Sharia Court of Appeal in cases involving questions regarding Islamic Personal Law; and
  - (b) the High Court in all other cases.
- (2) Every such appeal shall be commenced by the appellant giving to the Registrar of the Area Court notice of the appeal which shall be in writing, and signed by the appellant or by a legal practitioner if a legal practitioner is representing him.
- (3) Subject to the provisions of subsection (4) of this section, a notice of appeal under subsection (2) of this section shall be given in every case before the expiration of 30 days from the date of the decision appealed against.
- (4) A notice of appeal under subsection (2) in respect of an interlocutory decision shall be given within 14 days from the date of the decision appealed against

**Committee's Recommendation:**

That the provision in Clause 42 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 42 do stand part of the Bill, put and agreed to.*

**Clause 43: Restrictions on the right of appeal.**

Subject to the provisions of the Constitution of the Federal Republic of Nigeria, no appeal shall lie from the lower court at the instance of any person at whose request a case has been reported to a court under section 39 of this Bill.

**Committee's Recommendation:**

That the provision in Clause 43 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 43 do stand part of the Bill, put and agreed to.*

**Clause 44: Appeal out of time.**

Leave to appeal out of time to any court may be given by the court upon such terms as it may seem just.

**Committee's Recommendation:**

That the provision in Clause 44 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 44 do stand part of the Bill, put and agreed to.*

**Clause 45: Powers of appellate court in civil matters.**

- (1) Any court exercising appellate jurisdiction in civil matters under the provisions of this Bill may, in the exercise of that jurisdiction:—
  - (a) reverse, vary or affirm the decision of the court from which the appeal is brought and may make any order or exercise any power as the court of first instance could have made or exercised in the case or as the Appeal Court considers that the justice of the case requires;
  - (b) quash any proceeding and, there-upon where it is considered desirable, order such case to be retried before the court of first instance or before any other court of competent jurisdiction.
- (2) In the exercise of its power under subsection (1) (a) of this section, a court may hear additional evidence if it considers the evidence necessary for the just disposal of the case, and the court shall record its reason for exercising its power under this subsection.

**Committee's Recommendation:**

That the provision in Clause 45 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 45 do stand part of the Bill, put and agreed to.*

**Clause 46: Powers of court of appeal to inspect records.**

Where an appeal lies from an order or decision of an Area Court, the court to which the appeal is brought shall have powers to inspect the records or books of the Area Court relating to the appeal.

**Committee's Recommendation:**

That the provision in Clause 46 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 46 do stand part of the Bill, put and agreed to.*

**Clause 47: Substantial justice to be done without undue regard to technicalities.**

No proceedings in an Area Court and no summons, warrants, process, order or decree issued or made thereby shall be varied or declared void upon appeal or revision solely by reason of any defect in procedure or wants of form but every court or authority established in and for the Federal Capital Territory, Abuja and exercising powers of appeal or revision under this Bill shall decide all matters according to substantial justice without undue regards to technicalities.

**Committee's Recommendation:**

That the provision in Clause 47 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 47 do stand part of the Bill, put and agreed to.*

**Clause 48: Adjudication without authority**

- (1) Any person who exercises or attempts to exercise judicial Powers within the area of the jurisdiction of a duly constituted Area Court, except in accordance with the provisions of any written law, shall be liable on conviction before the High Court, Magistrate Court or Area Court of competent jurisdiction, to a fine not exceeding N20,000.00 or to imprisonment for a period not exceeding 12 months or to both.
- (2) Nothing contained in this section shall be deemed to prohibit any person from adjudicating as an arbitrator upon any civil matter in dispute where the parties to the matter have agreed to submit the dispute to his decision.

**Committee's Recommendation:**

That the provision in Clause 48 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 48 do stand part of the Bill, put and agreed to.*

**Clause 49: Jurisdiction of courts.**

Subject to the provision of this Bill, any proceeding arising under this Part may be brought in the High Court, Magistrate Court or Area Court of competent jurisdiction.

**Committee's Recommendation:**

That the provision in Clause 49 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 49 do stand part of the Bill, put and agreed to.*

**PART IX — RULES OF COURT****Clause 50: Power to make rules.**

- (1) The Grand Kadi may make rules providing for any or all of the following matters:—
  - (a) prescribing and providing for:—
    - (i) the maximum fees which may be charged in Area Courts and for appeals from the Area Courts generally;
    - (ii) the reduction of the maximum fees in respect of all or any Area Court or in respect of all or any proceeding; and
    - (iii) the remission in whole or in part of any maximum or reduced fee and the manner in which the persons or Area Court by whom or by which the remission may be made.
  - (b) the disposal and application of fines and fees received by Area Courts;
  - (c) the practice and procedure of Area Courts in their original jurisdiction, on review and appeal;
  - (d) the time within which any act, matter or thing shall be carried out or performed for the purpose of this Bill and the time within which notice of appeal shall be given from the decision of any Area Court;

- (e) providing for the execution of:—
    - (i) the decrees or orders of Area Court or any class of Area Courts, whether the Area Courts are established under this Bill or under any other written law; and
    - (ii) the warrants and the service of the process of the courts or class of courts, where these decrees or orders are made or the warrants or process are issued in respect of persons or property not within the area of the jurisdiction of the Area Court making or issuing the same.
  - (f) prescribing the courts or authority by which the decrees, orders, warrants or process mentioned in paragraph (e) (ii) of this subsection shall be carried into execution, executed or served;
  - (g) the exclusion of the public from an Area Court in accordance with section 21 (2) of this Bill; and
  - (h) the procedure of Area Courts in relation to applications for the interpretation of the Constitution of the Federal Republic of Nigeria.
- (2) Any rule made under this section may apply to all Area Courts or a class of Area Courts or any particular Area Court or those Area Courts or particular Area Court as may be determined under the rules.

***Committee's Recommendation:***

That the provision in Clause 50 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 50 do stand part of the Bill, put and agreed to.*

PART X — MISCELLANEOUS

**Clause 51: Saving and transitional provision**

- (1) All Assets and liabilities of the Area Court established under the Area Court Act Cap. 477, Laws of the Federal Capital Territory Abuja, 2006; and the Federal Capital Territory Abuja Area Courts (Repeal and Enactment) Act, 2010 shall be vested in the Area Court established under this Bill.
- (2) All appointments or decisions made by the Area Courts established under the Area Courts Act Cap. 477, Laws of the Federal Capital Territory Abuja, 2006; and the Federal Capital Territory Abuja Area Courts (Repeal and Enactment) Act, 2010 shall continue to persist or deemed to have been made by the Area Court established under this Bill.
- (3) Nothing in this Bill shall be deemed to affect the powers or functions of the High Court or Magistrate Court in the exercise of their Criminal Jurisdiction or any right or power in any officer or person to institute criminal proceedings in those courts.

***Committee's Recommendation:***

That the provision in Clause 51 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 51 do stand part of the Bill, put and agreed to.*

**Clause 52:** Interpretation.

In this Bill:—

"Area Court" means a court established under this Bill for the Federal Capital Territory, Abuja or deemed to have been so established and includes an Upper Area Court;

"cause" includes any action, suit or other original proceeding between a plaintiff and a defendant and also any criminal proceeding;

"Chief Registrar" means the Chief Registrar of the Sharia Court of Appeal of the Federal Capital Territory, Abuja;

"Customary Court" means a Customary Court established under the Customary Court Act, 2007;

"District Court" means a District Court established under the District Court Act, 1960;

"Grand Kadi" means the Grand Kadi of Sharia Court of Appeal of Federal Capital Territory, Abuja;

"Chief Inspectors of Area Courts" or "Inspector" means a person appointed under section 34 to exercise power vested in him under this Bill and includes the Director of Area Courts, Chief Inspector or any other Inspector;

"Judicial Service Committee" means the Judicial Service Committee of the Federal Capital Territory, Abuja;

"Land Cause" means a cause or matter relating to ownership, occupation or possession of Land;

"Legal Practitioner" has the same meaning as in the Legal Practitioners Act Cap. L11 LFN, 2004;

"Local Authority" means an Area Council or any other body established for the administration of the Federal Capital Territory, Abuja;

"Magistrate Court" means a Magistrate court established under or pursuant to Criminal Procedure Code Act or deemed to have been established;

"Islamic Personal Law" has the same meaning as it has in Sharia Court of Appeal Act;

"Sharia Court of Appeal" means Sharia Court of Appeal established for the Federal Capital Territory, Abuja;

**Committee's Recommendation:**

That the provision in Clause 52 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 52 do stand part of the Bill, put and agreed to.*

**Clause 53:** Repeal.

The Federal Capital Territory Abuja Area Courts (Repeal and Enactment) Act, 2010 is hereby repealed.

**Committee's Recommendation:**

That the provision in Clause 53 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 53 do stand part of the Bill, put and agreed to.*

**Clause 54: Citation.**

This Bill may be cited as the Federal Capital Territory Abuja Area Courts Bill, 2022.

**Committee's Recommendation:**

That the provision in Clause 54 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 54 do stand part of the Bill, put and agreed to.*

Chairman to report Bill.

**(SENATE IN PLENARY)**

The President of the Senate reported that the Senate, in the Committee of the Whole, considered the Report on a Bill for an Act to Repeal the Federal Capital Territory Abuja Area Courts Act, 2010 and Enact the Federal Capital Territory Abuja Area Courts Act To, among Other Things; Expand the Jurisdiction of the Area Courts to Entertain Both Civil and Criminal Cases; and for Related Matters, 2022 and approved as follows:

Clauses 1-54	—	As Recommended
Schedule	—	As Recommended

*Question:* That the Senate do approve the Report of the Committee of the Whole — *Resolved in the Affirmative.*

*Motion made:* That the Bill be now Read the Third Time (*Senate Leader*).

*Question put and agreed to.*

*Bill accordingly Read the Third Time and Passed.*

- (c) *Motion made:* Pursuant to Resolution No. (*S/Res/089/03/22*), that the Senate do resolve into Committee of the Whole to consider the Federal College of Education Birniwa, Jigawa State Bill (*Senate Leader*).

*Question put and agreed to.*

**(SENATE IN THE COMMITTEE OF THE WHOLE)**

CONSIDERATION OF THE REPORT ON A BILL FOR AN ACT TO ESTABLISH FEDERAL COLLEGE OF EDUCATION BIRNIWA, JIGAWA STATE, TO PROVIDE FULL-TIME COURSES, TEACHING INSTRUCTION AND TRAINING IN TECHNOLOGY, APPLIED SCIENCE, ARTS, SOCIAL SCIENCES, HUMANITIES AND MANAGEMENT AND FOR RELATED MATTERS, 2022.

**Clause 1: Establishment of Federal College of Education Birniwa, Jigawa State.**

- (1) There is established the Federal College of Education Birniwa (herein after referred to as "the College").



- (2) The College shall be a body corporate with perpetual succession and common seal and shall have power to acquire and dispose of interest in movable and immovable properties.
- (3) The College may sue and be sued in its corporate name.

**Committee's Recommendation:**

That the provision in Clause 1 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 1 do stand part of the Bill, put and agreed to.*

**Clause 2: Governing Council of the College.**

- (1) The governance and direction of the College affairs shall rest in the governing council of the college (in the Bill required to as "the Council").
- (2) The Council shall have the responsibility to consider and approve —
  - (a) the programme of studies to be undertaken in the College;
  - (b) the annual estimates of the College; and
  - (c) the investment plan of the College.
- (3) The provision of the schedule to this Bill shall have effect with respect to the Council to as mentioned herewith.

**Committee's Recommendation:**

That the provision in Clause 2 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 2 do stand part of the Bill, put and agreed to.*

**Clause 3: Membership of the Council in the College.**

The Council of the College shall consider of —

- (a) a Chairman and other members to be appointed by the President;
- (b) a representative of the Federal Ministry of Education;
- (c) a representative of the University of which the College is affiliated to for the purpose of moderation;
- (d) two representatives of the academic board of the College;
- (e) a representative of the National Commission for the College of Education; and
- (f) the Provost of the College.

**Committee's Recommendation:**

That the provision in Clause 3 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 3 do stand part of the Bill, put and agreed to.*

**Clause 4: Tenure of members of the Council**

- (1) A member of the Council (other than the ex-official members) shall hold office for a term of four years and subject to the provision of subsection (2) of this section shall be eligible for re-appointment for a further period of four years and no more.

- (2) The office of a member appointed under section 3 of this Bill shall become vacant of —
- (a) the member resigns in office by notice of writing under his hand addressed to the Minister; or
  - (b) the Minister is satisfied that it is not in the interest of the College for the person appointed to continue in office and notifies the member in writing to that effect.

***Committee's Recommendation:***

That the provision in Clause 4 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 4 do stand part of the Bill, put and agreed to.*

**Clause 5: Functions of the College.**

The Functions of the College shall be —

- (a) to provide full-time courses in teaching instruction and training —
  - (i) in technology, applied sciences, arts, social science, humanities and management: and
  - (ii) in such other fields of applied learning relevant to the needs of development of Nigeria.
- (b) to conduct courses in education for qualified teachers;
- (c) to arrange conference, seminars and workshops relative to the functions of the college; and
- (d) to perform such other functions as in the opinion of the Council may serve to promote the objective of the College.

***Committee's Recommendation:***

That the provision in Clause 5 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 5 do stand part of the Bill, put and agreed to.*

**Clause 6: Power of the Council.**

The Council of the College shall have power to —

- (a) hold examinations and grant NCE, Diplomas, Professional Certificates and other distinctions to persons, who have pursued of study approved and accredited by the National Commission for Colleges of Education;
- (b) hold examinations in Education for qualified teachers;
- (c) recruit staff and determine structure of such staff;
- (d) demand and receive from any student or any other person attending the College for the purpose of construction such fees as the council may with the prior approval of the Minister, from time to time determine;
- (e) hold public lectures and undertake printing, publishing and bookselling;
- (f) award fellowship, medals, prizes and other titles;

- (g) establish and maintain such schools and other teaching units with the college or extra moral departments as the councils may from time to time determine;
- (h) erect provide equip and maintain such educational recreational and residential facilities as the College may require;
- (i) create lectureships and other academic post and offices and to make appointment thereof
- (j) receive and make gifts;
- (k) enter into such contracts as may be necessary or expedients for carrying into effects the objections of the College;
- (l) provide amenities for and make such other provision for the welfare of the staff and students of the College;
- (m) encourage and make provision for research in the College;
- (n) do such acts and things whether or not incidental to the foregoing power as may advance the objects of the College.

***Committee's Recommendation:***

That the provision in Clause 6 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 6 do stand part of the Bill, put and agreed to.*

**Clause 7: Visitation.**

- (1) The Minister responsible for education shall be the visitor of the college.
- (2) The Visitor shall, not less than once in every five year, conduct a visitation to the College or appoint a visitation panels consists of not less than five experts to conduct the visitation —
  - (a) for the purpose of evaluating the academic and administrative performance of the College; or
  - (b) for such other purpose as the visitor may deem fit.

***Committee's Recommendation:***

That the provision in Clause 7 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 7 do stand part of the Bill, put and agreed to.*

**Clause 8: The academic board and its functions.**

- (1) There shall be established for the College a Board to be known as the Academic Board which shall consist of the following members —
  - (a) the Provost of the College as the Chairman;
  - (b) all Heads of Departments;
  - (c) the College Bursar;
  - (d) the College Librarian; and

- (e) not more than three members of the Academic staff other than the heads of departments to be appointed by the Council.
- (2) The Academic Board shall be responsible for —
- (a) the direction and management of academic matters of the college including the regulation of admission of students, the award of certificates, scholarships, prizes and other academic distinction;
  - (b) discharging any other functions which the council may from time to time delegate to it.

***Committee's Recommendation:***

That the provision in Clause 8 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 8 do stand part of the Bill, put and agreed to.*

**Clause 9: Power of Minister.**

The Minister may give to the Council directions of the general character or relating generally to matter with regard to the exercise by the Council of its functions and it shall be the duty of the Council to comply with such directions.

***Committee's Recommendation:***

That the provision in Clause 9 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 9 do stand part of the Bill, put and agreed to.*

**Clause 10: The Provost of the College.**

- (1) There shall be a Provost for the college (herein after referred to as "the Provost") who shall be appointed by the president on the recommendation of the Minister.
- (2) Where a vacancy occurs in the post of the provost, the Council shall advertise the vacancy in reputable widely read newspaper in Nigeria specifying —
  - (i) the qualities of the person who may apply for the post;
  - (ii) the terms and conditions of service applicable to the post and thereafter draw up a short list of suitable candidates for consideration of the Minister.
- (3) The President shall appoint as provost one of the candidates recommended by the Minister.
- (4) Subject to the general control of the council the provost shall be the chief executive of the college and shall be charged with general responsibility for matters relating to the day-to-day management and operations of the college.
- (5) The Provost shall hold office for a period of five years only and on such terms and conditions as may be specified in his letter of appointment.

***Committee's Recommendation:***

That the provision in Clause 10 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 10 do stand part of the Bill, put and agreed to.*

**Clause 11: Deputy provost.**

- (1) There shall be for the College two Deputy Provosts namely: Deputy Provost (Academic) and the Deputy Provost (Administration).
- (2) The Council shall the deputy provosts from among the Chief Lecturers in the College in any of the following ways, that is —
  - (a) from a list of five candidates in order of preference, submitted by the provost;
  - (b) on the recommendation of a selection Board constituted for their purpose; or
  - (c) on the nomination of the provost.
- (3) The selection Board referred to in subsection 2 (b) of this section shall consist of —
  - (i) the Chairman of the council;
  - (ii) the Provost of the college;
  - (iii) two members of the Academic board; and
  - (iv) two members of the council not being members of the Academic Board.
- (4)
  - (a) The Deputy Provost (Academic) shall —
    - (i) assist the provost in the performance of his function in Academic matters of the college;
    - (ii) act as the provost when the post of the provost is vacant or if the provost is for any reason, absent or unable to perform his function.
  - (b) The Deputy Provost (Administration) shall —
    - (i) assist the provost in administrative matters of the college; and
    - (ii) perform such other functions as the provost or the council may from time to time assign to him.
- (5) Each of the deputy provosts shall hold office for a period of two years no more.

***Committee's Recommendation:***

That the provision in Clause 11 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 11 do stand part of the Bill, put and agreed to.*

**Clause 12: The Registrar and other Staff of the College.**

- (1) There shall be a Registrar for the College to be appointed by the council.
- (2) The Registrar shall keep the records and conduct the correspondence of the council.

- (3) The Registrar shall be the secretary to —
  - (a) the Council;
  - (b) the Academic Board of the Council;
  - (c) any committee of the Council.
- (4) The Registrar may perform any duty as may be assigned to him by the councilor the provost.
- (5) The Registrar shall hold office for a period of five years and no more.

***Committee's Recommendation:***

That the provision in Clause 12 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 12 do stand part of the Bill, put and agreed to.*

**Clause 13: Other Principal Officers of the College.**

- (1) There shall be for the college in addition to the Registrar —
  - (a) the Bursar; and
  - (b) the College Librarian who shall be appointed by the Council.
- (2) The Bursar shall be the chief financial officer of the College and be responsible to the provost for the day-to-day administration and control of the financial affairs of the college.
- (3) The College Librarians shall be responsible to the provost for the administration of the College library and the coordinator of the library services in the teaching units of the college.
- (4) The Bursar and the College librarian shall each hold office for a period of five years and no more.

***Committee's Recommendation:***

That the provision in Clause 13 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 13 do stand part of the Bill, put and agreed to.*

**Clause 14: Resignation of appointment of Principal Officer.**

- A Principal Officer of the College may resign his appointment —
- (a) in case of the provost by notice to the visitor; and
  - (b) in any other case by advise to the Council.

***Committee's Recommendation:***

That the provision in Clause 14 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 14 do stand part of the Bill, put and agreed to.*

**Clause 15: Other employees of the College.**

- (1) The council may appoint other persons to be employees of the College as the council may deem to assist the provost and the principal officers in the performance of their functions.

- (2) The remuneration, tenure of office and condition of services of the employee of the college shall be determined by the council in consultation with the Federal Civil Service Commission.

***Committee's Recommendation:***

That the provision in Clause 15 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 15 do stand part of the Bill, put and agreed to.*

**Clause 16: Pensions.**

Service in the College shall be approved services for the purpose of the Pensions Reform Act and accordingly, officers and other persons employed in the College shall be entitled to pension, gratuity and other retirement benefits as may be prescribed in their respective letters of appointment.

***Committee's Recommendation:***

That the provision in Clause 16 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 16 do stand part of the Bill, put and agreed to.*

**Clause 17: Selection Board for other Principal Officers.**

- (1) There shall be selection Board for the College which shall consist of —
- (a) the Chairman of the Council;
  - (b) the Provost;
  - (c) four members of the Council not being members of the academics Board; and
  - (d) two members of the Academic Board.
- (2) The functions, procedure and other matters relating to the selection Board constituted under subsection (1) of this section shall be determined from time to time by the council.

***Committee's Recommendation:***

That the provision in Clause 17 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 17 do stand part of the Bill, put and agreed to.*

**Clause 18: Fund of the College**

- (1) The College shall establish and maintain a fund which shall be applied towards the promotion of the objectives of this Bill.
- (2) There shall be paid and credited to the fund established under subsection (1) of this section —
- (a) such sums as may from time to time be granted by the Federal Government through the National Commission for Colleges of Education;
  - (b) all monies raised by the council by way of gift, grants in aid or test monetary disposition; and

(c) all subscription fees and charges for services rendered by the council and all other sums that may accrue to the council from any sources.

(3) The council shall submit to the Minister, through the National Commission for Colleges of Education not later than three months before the end of each financial year or at such other time as he may direct an estimate of its revenue and expenditure for the next succeeding financial year.

***Committee's Recommendation:***

That the provision in Clause 18 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 18 do stand part of the Bill, put and agreed to.*

**Clause 19: Power to accept gifts.**

(1) The College may accept gifts or loan, money or of other property upon such terms and conditions, of any as may be specified by the person making the gifts.

(2) The College shall not accept any gift if the conditions attached to the gifts are inconsistent with the functions of the College.

***Committee's Recommendation:***

That the provision in Clause 19 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 19 do stand part of the Bill, put and agreed to.*

**Clause 20: Account and audit.**

The College shall keep proper accounts of its receipts allocations, payments, assets and liabilities and shall in respect of each year cause the account to be audited.

***Committee's Recommendation:***

That the provision in Clause 20 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 20 do stand part of the Bill, put and agreed to.*

**Clause 21: Annual reports.**

The Council shall as soon as may be after the expiration of each Financials year, prepare and submit to the Minister a report of its activities during the immediate preceding financial year and shall include in the report a copy of the audited accounts of the college for that year and of the auditor's report of the accounts.

***Committee's Recommendation:***

That the provision in Clause 21 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 21 do stand part of the Bill, put and agreed to.*

**Clause 22: Interpretation.**

In this Bill —

"Chairman" means the Chairman of the Council;

"College" means the Federal College of Education Birniwa established under section (1) of this Bill;



"Council" means the governing Council of the College established under section 2 of this Bill;

"Function" includes power and duties;

"Minister" means the minister charged with responsibility of education;

"Member" means a member of the council including the chairman;

"Provost" means the provost of the college established under section 10 of this Bill.

***Committee's Recommendation:***

That the provision in Clause 22 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 22 do stand part of the Bill, put and agreed to.*

**Clause 23: Citation.**

This Bill may be cited as the Federal College of Education, Birniwa (Establishment) Bill, 2022.

***Committee's Recommendation:***

That the provision in Clause 23 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 23 do stand part of the Bill, put and agreed to.*

SCHEDULE

*Section 2 (3)*

SUPPLEMENTARY PROVISION RELATING TO THE COUNCIL, ETC.

*Terms of Service*

1. There may be paid to the members of the council or any Committee, other than ex-officio members, such remuneration and allowance may from time to time be determine by the president.
2. Where vacancy occurs in respect of the membership specified in section 3, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor in office and such Successor shall represent the same interest as his predecessor.
3. The Council may act notwithstanding any vacancy in its membership or any defect in the appointment of a member or the absence of a member.

*Proceedings*

4. (1) The Council shall meet for the conduct of business at such times, places and on such days as the Chairman may appoint but shall meet not less than once every four months.
- (2) The Chairman may at time and shall at the request in writing of not less than six members, convene a meeting of the Council.
- (3) Where the council desires to obtain the advice of any person on any particular matter, the Council may co-opt persons who are members of the Council but persons co-opted shall not be entitled to vote at a meeting of the Council.

- (4) The Quorum of the Council shall be one of the total members of the council, at least one of whom shall be a member appointed by the President.
- (5) Decision of the Council shall be made on approval by a simple Majority of members.

*Miscellaneous*

5. (1) The fixing of the seal of the college shall be authenticated by the Signatures of the Chairman, provost and of some other members of the council Authorized generally or specially by the council to act for that purpose.
- (2) Any contract or instrument which, if made or executed by a person other than a body corporate would not be required to be under seal may be made executed on behalf of the college by any person generally or specially authorized to act for that purpose by the council.
- (3) Any document purporting to be duly executed under the seal of the College shall be received in evidence and shall unless the contrary is proved, be presumed to be so executed.

*Question that the provision in this Schedule Stand part of the Bill — Agreed to.*

Chairman to report Bill.

**(SENATE IN PLENARY)**

The President of the Senate reported that the Senate, in the Committee of the Whole, considered the Report on A Bill for an Act to Establish Federal College of Education Birniwa, Jigawa State, to Provide Full-time Courses, Teaching Instruction and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management and for Related Matters, 2022 and approved as follows:

Clauses 1-23	—	As Recommended
Schedule	—	As Recommended

*Question:* That the Senate do approve the Report of the Committee of the Whole — *Resolved in the Affirmative.*

*Motion made:* That the Bill be now Read the Third Time (*Senate Leader*).

*Question put and agreed to.*

*Bill accordingly Read the Third Time and Passed.*

**11. 2022 Appropriation Act (Amendment) Bill, 2022 (SB. 994):**

*Motion made:* That a Bill for an Act to Amend the 2022 Appropriation Act and for Other Related Matters, 2022 be read the Second Time (*Senate Leader*).

*Debate:*

*Question put and agreed to.*

*Bill accordingly read the Second Time and referred to the Committees on Appropriations; and Finance to report on Thursday, 14<sup>th</sup> April, 2022.*

**12. Federal University of Health Sciences Azare, Bauchi State (Establishment) Bill, 2022 (SB.990):**

*Motion made:* That a Bill for an Act to provide for the Establishment of Federal University of Health Sciences Azare, Bauchi State and for Matters Connected Therewith, 2022 be read the Second Time (*Senator Barau, I. Jibrin — Kano North*).

*Debate:*

*Question put and agreed to.*

*Bill accordingly read the Second Time and referred to the Committee on Health (Secondary and Tertiary) to report within four (4) weeks.*

**13. Federal College of Education Jama'are, Bauchi State (Establishment) Bill, 2022 (SB. 991):**

*Motion made:* That a Bill for an Act to provide for the establishment of the Federal College of Education Jama'are, Bauchi State and for Matters Connected Therewith, 2022 be read the Second Time (*Senator Barau, I. Jibrin — Kano North*).

*Debate:*

*Question put and agreed to.*

*Bill accordingly read the Second Time and referred to the Committee on Tertiary Institutions and TETFUND to report within four (4) weeks.*

**14. Immigration and Prisons Services Board Act (Repeal and Re-enactment) Bill, 2022 (SB.909):**

*Motion made:* That a Bill for an Act to Repeal the Immigration and Prisons Services Board and Enact the Internal Affairs Services Board and for Related Matters, 2022 be read the Second Time (*Senator George T. Sekibo — Rivers East*).

*Debate:*

*Question put and agreed to.*

*Bill accordingly read the Second Time and referred to the Committee on Interior to report within four (4) weeks.*

**15. Committee on Finance:  
Report on the Revised 2022 Fiscal Framework:**

*Consideration of Report deferred to the next Legislative Day.*

**16. Committee on Customs:  
Report on the Committee on Customs, Excise and Tariffs on the 2022 Budget of the Nigeria Customs Service:**

*Motion made:* That the Senate do receive and consider the Report of the Committee on Customs, Excise and Tariffs on the 2022 Budget of the Nigeria Customs Service (*Senator Francis A. Alimikhena — Edo North*).

*Question put and agreed to.*

*Report Laid and Presented.*

*Debate:*

**Proposed Resolution (i):**

*Question:* That the Senate do approve revenue collection of ₦3,019,133,200,308.00 (Three Trillion, Nineteen Billion, One Hundred and Thirty-Three Million, Two Hundred Thousand, Three Hundred and Eight Naira) only for the Nigeria Customs Service for the year 2022 financial year — *Agreed to.*

**Proposed Resolution (ii):**

*Question:* That the Senate do approve the expenditure of ₦369,040,000,000.00 (Three Hundred and Sixty-Nine Billion, Four Million Naira) for the Nigeria Customs Service for the 2022 financial year — *Agreed to.*

**Resolved:**

- (i) That the Senate do approve revenue collection of ₦3,019,133,200,308.00 (Three Trillion, Nineteen Billion, One Hundred and Thirty-Three Million, Two Hundred Thousand, Three Hundred and Eight Naira) only for the Nigeria Customs Service for the year 2022 financial year; and
- (ii) That the Senate do approve the expenditure of ₦369.04 (Three Hundred and Sixty-Nine Billion, Four Million Naira) for the Nigeria Customs Service for the 2022 financial year (*S/Res/090/03/22*).

**17. Committee on Petroleum Resources (Upstream):****Report on the Confirmation of Appointment as Members/Executive Commissioners for Nigerian Upstream Petroleum Regulatory Commission:**

*Motion made:* That the Senate do receive and consider the Report of the Committee on Petroleum Resources (Upstream) on the confirmation of the following persons for appointment as Members/Executive Commissioners for Nigerian Upstream Petroleum Regulatory Commission:

<u>S/No.</u>	<u>Name</u>	<u>Zone</u>	<u>Position</u>
1.	Dr. Nuhu Habib	North-West (Kano State)	Member/Executive Commissioner, Development and Production
2.	Dr. Kelechi Onyekachi Ofoegbu	South-East (Imo State)	Member/Executive Commissioner, Economic Regulations and Strategic Planning
3.	Capt. Tonlagha Roland John	South South (Delta State)	Member/Executive Commissioner, Health, Safety, Environment and Community
4.	Mr. Jide Adeola	North Central (Kogi State)	Member/Executive Commissioner, Corporate Services and Administration ( <i>Senate Leader</i> ).

*Question put and agreed to.*

*Report laid and Presented.*

*Motion made:* That the Senate do resolve into the Committee of the Whole to consider the Report (*Senate Leader*).

*Question put and agreed to.*

**(SENATE IN THE COMMITTEE OF THE WHOLE)**

CONSIDERATION OF THE REPORT OF THE COMMITTEE ON PETROLEUM RESOURCES (UPSTREAM) ON THE CONFIRMATION OF NOMINEES FOR APPOINTMENT AS MEMBERS/EXECUTIVE COMMISSIONERS FOR NIGERIAN UPSTREAM PETROLEUM REGULATORY COMMISSION.

**Nominees recommended for confirmation:**

(i)	Dr. Nuhu Habib	—	North-West ( <i>Kano State</i> )	—	<i>Agreed to.</i>
(ii)	Dr. Kelechi Onyekachi Ofoegbu	—	South-East ( <i>Imo State</i> )	—	<i>Agreed to.</i>
(iii)	Capt. Tonlagha Roland John	—	South South ( <i>Delta State</i> )	—	<i>Agreed to.</i>
(iv)	Mr. Jide Adeola	—	North Central ( <i>Kogi State</i> )	—	<i>Agreed to.</i>

Chairman to report progress.

**(SENATE IN PLENARY)**

The President of the Senate reported that the Senate, in the Committee of the Whole, considered the Report of the Committee on Petroleum Resources (Upstream) on the confirmation of nominees for appointment as Members/Executive Commissioners for Nigerian Upstream Petroleum Regulatory Commission and approved the nominations.

*Question:* That the Senate do approve the Report of the Committee of the Whole — *Resolved in the Affirmative.*

**Confirmation of nominations:***Question:*

“Will the Senate confirm the nomination of Dr. Nuhu Habib, *North-West (Kano State)* for appointment as Member/Executive Commissioner, Development and Production for Nigerian Upstream Petroleum Regulatory Commission?” — *Resolved in the Affirmative.*

*Nomination of Dr. Nuhu Habib, North-West (Kano State) for appointment as Member/Executive Commissioner, Development and Production for Nigerian Upstream Petroleum Regulatory Commission accordingly confirmed.*

*Question:*

“Will the Senate confirm the nomination of Dr. Kelechi Onyekachi Ofoegbu, *South-East (Imo State)* for appointment as Member/Executive Commissioner, Economic Regulations and Strategic Planning for Nigerian Upstream Petroleum Regulatory Commission?” — *Resolved in the Affirmative.*

*Nomination of Dr. Kelechi Onyekachi Ofoegbu, South-East (Imo State) for appointment as Member/Executive Commissioner, Economic Regulations and Strategic Planning for Nigerian Upstream Petroleum Regulatory Commission accordingly confirmed.*

*Question:*

“Will the Senate confirm the nomination of Capt. Tonlagha Roland John, *South South (Delta State)* for appointment as Member/Executive Commissioner, Health, Safety, Environment and Community for Nigerian Upstream Petroleum Regulatory Commission?” — *Resolved in the Affirmative.*

*Nomination of Capt. Tonlagha Roland John, South South (Delta State) for appointment as Member/Executive Commissioner, Health, Safety, Environment and Community for Nigerian Upstream Petroleum Regulatory Commission accordingly confirmed.*

*Question:*

“Will the Senate confirm the nomination of Mr. Jide Adeola, *North Central (Kogi State)* for appointment as Member/Executive Commissioner, Corporate Services and Administration for Nigerian Upstream Petroleum Regulatory Commission?” — *Resolved in the Affirmative.*

*Nomination of Mr. Jide Adeola, North Central (Kogi State) for appointment as Member/Executive Commissioner, Corporate Services and Administration for Nigerian Upstream Petroleum Regulatory Commission accordingly confirmed.*

**18. Conference Committee:**

*Report on the Federal University of Agriculture, Kabba (Establishment) Bill, 2022 (SB. 282):*

*Consideration of Report deferred to another Legislative Day.*

**19. Federal Medical Centre Ogoja, Cross River State (Establishment) Bill, 2022 (HB. 276) — Concurrence:**

*Consideration of Bill deferred to another Legislative Day.*

**20. Public Enterprises (Privatization & Commercialization) Act (Repeal & Enactment) Bill, 2022 (HB. 1470) — Concurrence:**

*Consideration of Bill deferred to another Legislative Day.*

**21. Advertising Regulatory Council of Nigeria Bill, 2022 (HBs.137 & 518) — Concurrence:**

*Consideration of Bill deferred to another Legislative Day.*

**22. Arbitration and Mediation Act, 2022 (HB. 91) — Concurrence:**

*Consideration of Bill deferred to another Legislative Day.*

**23. Adjournment:**

And it being 3:08 p.m. the President of the Senate adjourned the Senate till Thursday, 14<sup>th</sup> April, 2022 at 10:00 a.m.

*Senate adjourned accordingly at 3:08 p.m.*

**Ahmad Ibrahim Lawan, Ph.D, CON**  
President,  
Senate of the Federal Republic of Nigeria.